

Appl. No. 09/589,414
Amendment of 2 February 2004
Reply to Office Action of 1 October 2003

Remarks

Claims 1 through 21 and 24 through 31 are currently pending in the application. With this Amendment, Applicants have cancelled claims 22, 23, and 32 through 39. Applicants have also amended claims 1, 19 – 21, and 24 – 31.

Currently pending claims 1-12 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Herman, et al. (U.S. Patent No. 6,341,353). Claims 13 – 21 and 24 – 31 stand rejected over Herman in view of Gregg, et al. (U.S. Patent No. 6,516,416).

Applicants have amended the claims noted above to make explicit that the current invention comprises management of resources in a packet network environment. For example, Claim 1 is amended to specify that the claimed computer system "manages data exchanges among a plurality of network nodes in a managed packet network" and that the invention is responsible for "reserving resources in the managed packet network" for communications among the various network nodes. Likewise, claim 19 is amended to specifically recite that the managed packet backbone server "manag[es] data exchanges among a plurality of network nodes in a managed packet network" and that the manages packet backbone server "reserv[es] resources in the managed packet network for communications between the first network node and the second network node." Similar limitations are found in claims 20, 21, and 24 – 31. Support for these amendments is found in the specification at pages 15, 16, and 19 – 23.

The art cited by the Examiner, Herman and Gregg, fails to teach or fairly suggest the claimed invention which manages data exchanges between nodes of a managed packet network. Specifically, Herman teaches an electronic receipt system that electronically documents transactions between parties connected to a public network. There is no suggestion in Herman of network resource allocation or reservation in a managed network as claimed in the present invention.

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Likewise, Gregg teaches a subscription access system for use with an "untrusted network." The Gregg invention is concerned with authenticating the identity of subscriber and server computers to ensure that only approved users can access the content protected by the invention. Like Herman, Gregg fails to teach or suggest any reservation or allocation of network resources in a managed network.

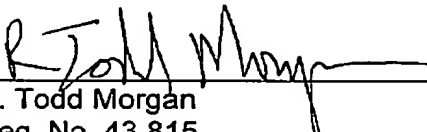
Since both Herman and Gregg teach aspects of "secure" communications between computers connected to an un-managed, public network (e.g., the Internet) that cannot be managed by a constituent node (such as a communications server) to create "reserved resources," both Herman and Gregg teach away from the disclosed invention which is specifically directed to management of resources on a private, managed network.

For the reasons stated above, Herman fails to teach the required limitations of claim 1 of the present invention. In addition, the combination of Herman in view of Gregg fails to teach or fairly suggest the required limitations of claims 19, 20, 21, and 24 - 31. Applicants, therefore, respectfully request that the Examiner withdraw the rejection of claims 1, 19, 20, 21, and 24 through 31. As claims 2-18 depend directly or indirectly from claim 1, Applicants also request that the Examiner withdraw the rejection of claims 2-18. Therefore, in light of the foregoing amendments and arguments, Applicants respectfully request that the Examiner provide a notice of allowability for all currently pending claims 1- 21 and 24 - 31.

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The Examiner is invited to contact the undersigned at the below-listed number with any questions.

Respectfully submitted,


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